IN THE UNITED STATES DISTRICT COURT FOR THE WESTERN DISTRICT OF NORTH CAROLINA ASHEVILLE DIVISION 1:21-cv-00213-MR-WCM

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This matter is before the undersigned for case management purposes following the filing of Defendant's Partial Motion to Dismiss Plaintiff's Amended Complaint. Docs. 54, 55.

The Court **ADVISES** Plaintiff, who appears *pro se* in this matter, that Defendant has filed a Motion to Dismiss pursuant to Rule 12(b)(6) of the Federal Rules of Civil Procedure by which it asks the court to dismiss Plaintiff's claim for retaliation.

Plaintiff is advised to review the Motion to Dismiss and supporting memorandum (Docs. 54, 55) carefully. Plaintiff is further advised that if he does not submit a response to the Motion by the date stated herein, the court may proceed to consider the Motion to Dismiss without hearing from him. See Roseboro v. Garrison, 528 F.2d 309, 310 (4th Cir. 1975); see also Carr v. Reece, No. 3:21-cv-00217-FDW-DCK, 2021 WL 5855646 at *2, n. 1 (W.D.N.C. Dec. 9,

2021) ("courts routinely issue Roseboro notices for motions to dismiss, and the Court does so here"). Additionally, Plaintiff is directed to review the Federal Rules of Civil Procedure and this Court's Local Rules and to endeavor to ensure that his response to the Motion to Dismiss is made in compliance with those provisions.

In the court's discretion, Plaintiff's deadline for filing a response to the Motion to Dismiss (Doc. 54) is **EXTENDED** to and including July 31, 2023.

Signed: July 11, 2023

W. Carleton Metcalf

United States Magistrate Judge